

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)	<u>AMENDED</u> ORDER FOR
THE CITY OF PIERRE FOR A CONSTRUCTION)	AND NOTICE OF HEARING
PERMIT FOR 4.83 MILES OF 115KV ELECTRIC)	
TRANSMISSION LINE IN HUGHES COUNTY,)	EL00-023
SOUTH DAKOTA)	

On August 21, 2000, the City of Pierre (Pierre) submitted to the Public Utilities Commission (Commission) an application for a permit to construct transmission facilities as defined at SDCL 49-41B-2(9)(b). According to the application, these facilities consist of approximately 4.03 miles of new 115 kilovolt (kV) electric transmission line and associated terminal facilities between the City's Ash Substation and the Western Area Power Administration Oahe-Pierre 115kV line. In addition, a 0.80 mile segment of the City's Ash to Evans 115kV transmission line would be relocated to a new route and constructed on new structures. Both transmission lines are located in Hughes County, South Dakota. SDCL 49-41B-12 requires a minimum filing fee deposit of \$8,000.

On August 24, 2000, the Commission electronically transmitted notice of the filing to interested individuals and entities. Applications for party status were due by October 20, 2000. No applications for party status were filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-1, 49-41B-4, 49-41B-11, 49-41B-12, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-21, 49-41B-22, 49-41B-25, 49-41B-26, 49-41B-33, 49-41B-38, and ARSD Chapter 20:10:22.

A hearing shall be held on December 14, 2000, beginning at ~~1:00~~ 3:00 P.M., in Room 412 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. All persons testifying will be subject to cross-examination by the parties.

The issue at the hearing is whether a permit to construct the transmission facilities shall be granted, denied, or granted upon such terms, conditions, or modifications of the construction, operation, or maintenance as the Commission may deem appropriate.

The hearing shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of the hearing, the Commission shall determine whether a permit to construct the transmission facilities

shall be granted, denied, or granted upon such terms, conditions, or modifications of the construction, operation, or maintenance as the Commission may deem appropriate. The Commission's decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED, that a hearing shall be held at the time and place specified above on the issue of whether a permit to construct the transmission facilities shall be granted, denied, or granted upon such terms, conditions, or modifications of the construction, operation, or maintenance as the Commission may deem appropriate.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 1st day of December, 2000.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner